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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/832,810

04/12/2001

Seung Yop Lee

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07/29/2004

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EXAMINER

HESELTIME, RYAN J

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/832,810

**Applicant(s)**

LEE, SEUNG YOP

**Examiner**

Ryan J Hesseltine

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 16 is objected to because of the following informalities: on page 38, line 13, the word "predetermined" is repeated. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5, 6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky et al. (USPN 6,421,453, newly cited), hereafter Kanevsky, in view of Robinson (USPN 4,751,570, newly cited).
4. Regarding claim 1, Kanevsky discloses a system for capturing identification data pertaining to a subject (abstract) comprising: (a) a main support assembly (inherent) spaced a predetermined distance from the subject; (b) a plurality of image capture devices (stereo camera system; column 5, line 20-35) displaceably supported by said main support assembly (stereo cameras are inherently separated by some distance) for concurrently generating a plurality of graphic representations of the subject for respectively rendering said graphic representations from preselected view orientations (column 11, line 65-column 12, line 13); (c) at least one auxiliary data capture device for capturing a predetermined biometric parameter (voice print, fingerprints, hair color, pulse, height, weight, eye print) pertaining to the subject (column 6, line 57-67; column 10, line 23-27); and, (d) a programmably configured workstation (computer)

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operably coupled to said image capture and auxiliary data capture devices for automatically controlling said devices responsive to user actuation thereof (Figures 1 and 5; column 9, line 23-61; column 21, line 2-23; column 31, line 1-15). Kanevsky does not explicitly disclose that said image capture devices are adjustably disposed on said main support assembly.

5. Robinson discloses the generation of apparently three-dimensional images wherein a stereo-camera head is provided in which the parameters of focus, zoom, camera convergence, camera separation distance, and iris function are automatically or remotely adjusted by motor drives (column 1, line 54-column 2, line 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a pair of image capture devices adjustably disposed on a support assembly as taught by Robinson in order to remotely or automatically adjust some or all of the parameters involved in stereoscopic viewing while the camera is in use (column 1, line 21-38).

6. Regarding claim 16, Kanevsky discloses a system for concurrently capturing identification data pertaining to a subject comprising: (a) an automatically adjustable main support assembly spaced a predetermined distance from the subject (inherent), said main support assembly including a stand and a plurality of laterally extending support arms adjustably coupled thereto (see above discussion of claims 1 and 2 with respect to Robinson); (b) a plurality of digital camera devices (stereo camera system; column 5, line 20-35) each coupled to one said support arm, said camera devices being operable to concurrently generate in electronic form a plurality of graphic representations of the subject (column 15, line 59-63), said camera devices being adjustably disposed for respectively rendering said graphic representations from preselected view orientations (see above discussion of claim 1); (c) a plurality of auxiliary data

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capture devices for respectively capturing a plurality of predetermined predetermined biometric parameters (voice print, fingerprints, hair color, pulse, height, weight, eye print) pertaining to the subject (column 6, line 57-67; column 10, line 23-27); and, (d) a programmably configured workstation (computer) operably coupled to said image capture and auxiliary data capture devices for automatically controlling said devices responsive to user actuation thereof (Figures 1 and 5; column 9, line 23-61), said workstation including a controller and data entry and display (or monitor) devices coupled thereto (column 15, line 48-58; column 17, line 38-47; column 21, line 2-23; column 31, line 1-15).

7. Regarding claim 2, Robinson discloses that said main support assembly includes a stand (not labeled) and a plurality of support arms (linear translation stages 23, lean screws 24) adjustably coupled thereto, said support arms extending laterally from said stand (Figure 2; column 3, line 33-42).

8. Regarding claim 3, Robinson discloses that said main support assembly is operably coupled to said workstation 21 for automatic adjustment responsive thereto (Figure 2; column 3, line 21-32).

9. Regarding claim 5, Kanevsky discloses that said auxiliary data capture device is selected from the group consisting of: a weight sensor, a height sensor, a fingerprint digitizer, a document scanner, and a handwriting sample capturing electronic writing pad (column 6, line 57-67; column 10, line 23-27).

10. Regarding claims 6 and 17, Kanevsky discloses a plurality of said auxiliary data capture devices, said auxiliary data capture devices including a weight sensor, a height sensor, and a fingerprint digitizer (column 10, line 23-27; column 11, line 65-column 12, line 9).

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11. Regarding claim 18, Kanevsky discloses that said predetermined biometric parameters further include the handwriting of the subject (column 6, line 62-65; column 11, line 60-64).

12. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Robinson in view of Johnson (USPN 3,683,764, cited on applicant's IDS).

13. Regarding claim 10, Kanevsky discloses a system for capturing identification data pertaining to a subject comprising: (a) an adjustable main support assembly spaced a predetermined distance from the subject (inherent), said main support assembly including a stand and a plurality of laterally extending support member adjustably coupled thereto (see above discussion of claims 1 and 2 with respect to Robinson); (b) a plurality of image capture devices (stereo camera system; column 5, line 20-35) each coupled to one said support member, said image capture devices being operable to concurrently generate a plurality of graphic representations of the subject (column 15, line 59-63), said image capture devices being adjustably disposed for respectively rendering said graphic representations from preselected view orientations (see above discussion of claim 1); (c) at least one auxiliary data capture device for capturing a predetermined biometric parameter (voice print, fingerprints, hair color, pulse, height, weight, eye print) pertaining to the subject (column 6, line 57-67; column 10, line 23-27); and, (e) a controller (computer) operably coupled to said image capture devices and said auxiliary data capture devices for automatically controlling said devices responsive to user actuation thereof (Figures 1 and 5; column 9, line 23-61; column 21, line 2-23; column 31, line 1-15). Kanevsky does not disclose (d) a lighting assembly operably coupled to said controller for illuminating the subject actuable in synchronized manner with said image capture devices.

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14. Johnson discloses a camera system for recording a plurality of images on a photographic sheet including a lighting assembly (electronic flash unit 52) operably coupled to a controller (button 60) for illuminating the subject actuable in synchronized manner with an image capture device (Figure 1; column 5, line 14-35; column 7, line 7-32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a lighting assembly operably coupled to a controller for illuminating the subject actuable in synchronized manner with an image capture device as taught by Johnson in order to illuminate the subject and simultaneously form an image of the subject (column 5, line 13-28; column 7, line 7-12).

15. Regarding claim 11, see above discussion of claim 5.

16. Regarding claim 12, see above discussion of claims 6 and 17.

17. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Robinson as applied to claim 1 above, and further in view of Johnson.

18. Regarding claim 4, Johnson discloses a lighting assembly operably coupled to a controller, said lighting assembly being actuable in synchronized manner with said image capture device (see above discussion of claim 10).

19. Claims 7-9, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Robinson as applied to claims 1 and 16 above, and further in view of Hoppenstein (USPN 5,049,987, cited on applicant's IDS).

20. Regarding claims 7 and 19, Kanevsky does not disclose at least three said image capture devices each including a photo-capture portion, said image capture devices being disposed in

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spaced manner one relative to the others to respectively render a front and a pair of opposing side views of the subject. Hoppenstein discloses a method and apparatus for creating three-dimensional images wherein at least three said image capture devices (cameras 1-10) each including a photo-capture portion are disposed in spaced manner one relative to the others to respectively render a front and a pair of opposing side views of the subject (Figure 3; column 5, line 24-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize at least three image capture devices each including a photo-capture portion and disposed in spaced manner one relative to the others to respectively render a front and a pair of opposing side views of the subject as taught by Hoppenstein in order to create a composite multi-dimensional image of the subject for storage, transmission and display (column 2, line 53-57).

21. Regarding claim 8, Kanevsky discloses that each said photo-capture portion includes a digital camera operable to generate said graphic representation of the subject in electronic form (column 15, line 59-66).

22. Regarding claims 9 and 20, Kanevsky discloses that said workstation includes a controller and a graphic user interface generated thereby (column 9, line 23-61; column 10, line 35-44), said graphic user interface being configurable to display said at least one said predetermined biometric parameter (column 17, line 38-47), and Hoppenstein discloses concurrently displaying said front and side views of the subject (column 6, line 25-50).



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23. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Robinson in view of Johnson as applied to claim 10 above, and further in view of Hoppenstein.

24. Regarding claim 13, see above discussion of claims 7 and 19.

25. Regarding claim 14, see above discussion of claim 8.

26. Regarding claim 15, see above discussion of claims 9 and 20.

### *Conclusion*

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 4,264,166 to Morris discloses a photographic film cassette, cassette holder and system providing simultaneous photographing of a person's face, fingerprints and a check to be cashed. USPN 5,229,764 to Matchett et al. discloses a continuous biometric authentication matrix including continuous biometric authentication including thumb scan, digital photo, voice print, fingerprints and a weight sensor built into a player's chair. USPN 5,457,747 to Drexler et al. discloses an anti-fraud verification system using a data card including an electronic camera for taking a picture of a person's face and a fingerprint reader to acquire a two or three dimensional picture of a fingerprint. USPN 5,467,403 to Fishbine et al. discloses a portable fingerprint scanning apparatus for identification verification including a fingerprint scanner and a camera for capturing a photographic image of a person or scene. USPN 6,651,168 to Kao et al. discloses an authentication framework for multiple authentication processes and mechanisms enabling a computer system to authenticate a user with a plurality of authentication processes including fingerprint scanning and graphical signature scanning.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan J Hesseltine whose telephone number is 703-306-4069.

The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan J. Hesseltine  
July 23, 2004

  
JINGGE WU  
PRIMARY EXAMINER